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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,905	07/06/2001	Hossein Mohsenzadeh	103171-0001	3607

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CESARI AND MCKENNA, LLP
88 BLACK FALCON AVENUE
BOSTON, MA 02210

EXAMINER

HAMILTON, LALITA M

ART UNIT	PAPER NUMBER
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3691

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/25/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 09/899,905	Applicant(s) MOHSENZADEH, HOSSEIN	
	Examiner Lalita M. Hamilton	Art Unit 3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) 22-50 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 and 51-58 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>02132006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Applicant's election with traverse of the restriction requirement in the reply filed on October 23, 2006 is acknowledged. The traversal is on the ground(s) that groups I and III are in the same subclass and groups II and IV overlap in scope with groups I and III. This is not found persuasive because Group I is drawn to a method of making secure payment transactions over a network and authenticating the call by checking the caller ID. Group III is drawn to a method of selling resources comprising authenticating a message. Although they are in the same subclass, they would still require different searches. Group II is drawn to a method of authenticating a message from a geographically unique telephone identifier. Group IV is drawn to facilitating transactions between an initiator and a target. Groups II and IV would require different searches than that of group I. The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-21 and 51-58 are rejected under 35 U.S.C. 102(a) as being anticipated by Jalili (6,088,683).

Jalili disclose a method and apparatus for conducting secure transactions over a network comprising receiving a telephone call over the telephone network that seeks to initiate a transaction with a target, obtaining at least a Caller ID defining the telephone from which the call is being placed, authenticating the call by checking at least the Caller ID associated with the call against Caller IDs in a database of registrants' Caller IDs, and proceeding with the transaction only if at least said Caller ID matches that of an entity that is registered in said database (col.1, line 60 to col.2, line 48); transaction comprises a payment with respect to a financial account (col.2, lines 60-65); transaction comprises a payment from a first financial account into a second financial account (col.3, lines 1-6); database contains data uniquely identifying call initiators that are registered to undertake transactions on the system (col.1, line 60 to col.2, line 48); a transaction is completed only after authentication of both the call initiator and the call target (col.1, line 60 to col.2, line 48); transaction comprises a payment with respect to a financial account (col.2, lines 60-65); transaction comprises a payment from a first financial account into a second financial account (col.3, lines 1-6); the steps of debiting and crediting said financial accounts in connection with completion of the transaction are performed by the call-receiving entity (col.1, line 60 to col.2, line 48); transaction is completed by the target (col.1, line 60 to col.2, line 48); obtaining from the call initiator a secondary identifier; and using said secondary identifier in connection with authenticating the call initiator (col.3, lines 5-32); facilitator completes said transaction only on authorization from the target of said transaction (col.1, line 60 to col.2, line 48); facilitator transmits

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authentication to a telephone station at a third location for completion of said transaction (col.1, line 60 to col.2, line 48); call is placed by an entity by which a payment is to be made to another (col.1, line 60 to col.2, line 48); call is placed by an entity to which payment is to be made (col.1, line 60 to col.2, line 48); transaction is completed only on approval by the entity which is to make said payment (col.1, line 60 to col.2, line 48); programmed to receive said primary and secondary identifiers from different sources (col.1, line 60 to col.2, line 48); database includes information concerning one or more desired payment mechanisms and shipping preferences, and in which said information is retrieved by means of the Caller ID and used in processing a transaction (col.1, line 60 to col.2, line 48); step of verifying to the sender of said call the identity of the designated target before completing said transaction (col.1, line 60 to col.2, line 48); verification is performed by checking the given telephone number against information obtained from the telephone company (col.1, line 60 to col.2, line 48); and resource is transferred in response to receipt of the telephone number of said target (col.1, line 60 to col.2, line 48).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lalita M. Hamilton whose telephone number is (571) 272-6743. The examiner can normally be reached on Tuesday-Thursday (6:30-2:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kalinowski Alexander can be reached on (571) 272-6771. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Lalita M. Hamilton
Primary Examiner, 3691